

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ADJUSTACAM LLC,

PLAINTIFF,

v.

C.A. NO. 6:10-cv-00329-LED

AMAZON.COM, INC.;
AUDITEK CORPORATION;
BALTIC LATVIAN UNIVERSAL
ELECTRONICS, LLC D/B/A BLUE
MICROPHONES, LLC D/B/A BLUE
MICROPHONE;
BLUE MICROPHONES, LLC;
CDW CORPORATION F/K/A CDW
COMPUTER CENTERS, INC.;
CDW, INC.;
COBRA DIGITAL, LLC;
COMPUSA.COM, INC.;
CREATIVE TECHNOLOGY LTD.;
CREATIVE LABS, INC.;
DELL, INC.;
DIGITAL INNOVATIONS, LLC.;
EASTMAN KODAK COMPANY;
EZONICS CORPORATION D/B/A
EZONICS CORPORATION USA D/B/A
EZONICS;
FRY'S ELECTRONICS, INC.;
GEAR HEAD, LLC;
HEWLETT-PACKARD COMPANY;
INTCOMEX, INC.;
JASCO PRODUCTS COMPANY LLC
D/B/A JASCO PRODUCTS COMPANY
D/B/A JASCO;
JWIN ELECTRONICS CORPORATION;
KLIP XTREME LLC;
KMART CORPORATION;
LIFEWORX TECHNOLOGY GROUP,
LLC;
MACALLY PERIPHERALS, INC. D/B/A
MACALLY U.S.A.;
MACE GROUP, INC.;
MICRO ELECTRONICS, INC. D/B/A

MICRO CENTER;	§	
NEW COMPUSA CORPORATION;	§	
NEWEGG, INC.;	§	
NEWEGG.COM, INC.;	§	
OFFICE DEPOT, INC.;	§	
OVERSTOCK.COM, INC.;	§	
PHOEBE MICRO INC.;	§	
PROLYNKZ, LLC;	§	
RADIOSHACK CORPORATION;	§	
ROSEWILL INC.;	§	
SEARS BRANDS, LLC;	§	
SEARS HOLDINGS CORPORATION	§	
D/B/A SEARS;	§	
SEARS, ROEBUCK AND COMPANY;	§	
SAKAR INTERNATIONAL, INC.;	§	
SAKAR, INC.;	§	
SDI TECHNOLOGIES, INC.;	§	
SOFTWARE BROKERS OF AMERICA	§	
INC. D/B/A INTCOMEX CORPORATION	§	
D/B/A INTCOMEX;	§	
SYSTEMAX, INC. D/B/A COMPUSA;	§	
TARGET CORP.;	§	
TIGERDIRECT, INC.;	§	
TRIPPE MANUFACTURING COMPANY	§	
D/B/A TRIPP LITE;	§	
WAL-MART STORES, INC.;	§	
BEST BUY CO., INC. D/B/A BEST BUY	§	
D/B/A ROCKETFISH;	§	
BEST BUY STORES, LP;	§	
BESTBUY.COM, LLC;	§	JURY TRIAL DEMANDED
CONN'S, INC. D/B/A CONN'S;	§	
J&R ELECTRONICS, INC. D/B/A J&R;	§	
KOHL'S CORPORATION D/B/A KOHL'S;	§	
KOHL'S ILLINOIS, INC.;	§	
SOLID YEAR CO., LTD. AND	§	
WALGREEN CO. D/B/A WALGREENS,	§	
	§	
DEFENDANTS.	§	

NOTICE OF APPEARANCE

Sears Brands, LLC; Sears, Roebuck and Company; Sears Holdings Corporation d/b/a Sears; and Kmart Corporation (collectively, "Defendants"), Defendants in the above-entitled and

numbered civil action, hereby notify the Court and all parties that the following person, in addition to those who previously gave notice, is appearing as counsel of record.

Robert A. Ayers, Jr.
State Bar No. 24073870
Bracewell & Giuliani LLP
711 Louisiana, Suite 2300
Houston, Texas 77002
(713) 223-2300 - Telephone
(713) 221-1212 – Facsimile
robert.ayers@bgllp.com

Dated: March 23, 2011.

Respectfully submitted,

BRACEWELL & GIULIANI LLP

By: /s/ Robert D. Ayers, Jr.

Robert D. Ayers, Jr.
State Bar No. 24073870
Bracewell & Giuliani LLP
711 Louisiana, Suite 2300
Houston, Texas 77002
(713) 223-2300 - Telephone
(713) 221-1212 – Facsimile

ATTORNEY FOR DEFENDANTS,
SEARS BRANDS, LLC; SEARS, ROEBUCK
AND COMPANY; SEARS HOLDINGS
CORPORATION D/B/A SEARS; and KMART
CORPORATION

Of counsel:

John H. Barr, Jr.
Attorney-in-Charge
State Bar No. 00783605
Christopher A. Shield
State Bar No. 24046833
John A. Yates
State Bar No. 24056569
Bracewell & Giuliani LLP
711 Louisiana, Suite 2300
Houston, Texas 77002

(713) 223-2300 - Telephone
(713) 221-1212 – Facsimile

Christopher Schenck
Washington State Bar Number 37997
Bracewell & Giuliani LLP
701 Fifth Avenue, Suite 6200
Seattle, Washington 98104-7043
206-204-6210 (Telephone)
206-204-6262 (Facsimile)

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been forwarded to all counsel of record pursuant to the Federal Rules of Civil Procedure on the 23rd day of March, 2011.

<p>John J. Edmonds Michael J. Collins Henry M. Pogorzelski Erick Scott Robinson Andrew P. Tower Collins, Edmonds & Pogorzelski, PLLC 1616 S. Voss Road, Suite 125 Houston, Texas 77057 jedmonds@cepiplaw.com mcollins@cepiplaw.com hpogorzelski@cepiplaw.com erobison@cepiplaw.com atower@cepiplaw.com (Attorneys for Plaintiff, Adjustacam, LLC)</p>	<p>Andrew W. Spangler Spangler Law P.C. 208 N. Green Street, Suite 300 Longview, Texas 75601 spangler@spanglerlawpc.com (Attorney for Plaintiff, AdjustaCam, LLC)</p>
<p>James E. Geringer Salumeh R. Loesch Klarquist Sparkman LLP 121 SW Salmon Street, Suite 1600 Portland, Oregon 97204 James.Geringer@klarquist.com Salumeh.loesch@klarquist.com</p> <p>Brian Craft Eric H. Findlay Findlay Craft LLP 6760 Old Jacksonville Hwy, Suite 101 Tyler, TX 75703 bcraft@findlaycraft.com efindlay@findlaycraft.com</p> <p>(Attorney for Defendant, Amazon.com. Inc.)</p>	<p>David W. Denenberg Davidoff Malito & Hutcher LLP 200 Garden City Plaza, Suite 315 Garden City, New York 11530 dwd@dmlegal.com (Attorney for Defendants, Compusa.com, Inc., New Compusa Corporation, Systemax, Inc. d/b/a Compusa and Tigerdirect, Inc.)</p>
<p>Anthony S. Gabrielson Benjamin T. Horton Thomas L. Duston Marshall, Gerstein & Borun LLP 233 S. Wacker Dr. 6300 Willis Tower Chicago, Illinois 60606-6357 agabrielson@marshallip.com bhorton@marshallip.com</p>	<p>Scott F. Partridge Roger J. Fulghum Baker Botts L.L.P. 910 Louisiana Suite 3000 One Shell Plaza Houston, Texas 77002 scott.partridge@bakerbotts.com roger.fulghum@bakerbotts.com</p>

<p>tduston@marshallip.com</p> <p>Brian Craft Eric H. Findlay Findlay Craft LLP 6760 Old Jacksonville Hwy, Suite 101 Tyler, TX 75703 bcraft@findlaycraft.com efindlay@findlaycraft.com</p> <p>(Attorneys for Defendants, CDW Corporation f/k/a CDW Computer Centers, Inc., CDW, Inc. and CDW, LLC) (Attorney for Defendant, Creative Labs, Inc.)</p>	<p>Paula Diane Heyman Baker Botts LLP 98 San Jacinto Blvd., Suite 1500 Austin, Texas 78701 paula.heyman@bakerbotts.com</p> <p>Deron R. Dacus Ramey & Flock, P.c. 100 E. Ferguson, Suite 500 Tyler, Texas 75702 ddacus@rameyflock.com</p> <p>(Attorneys for Defendant, Dell, Inc.)</p>
<p>Ezra Sutton Ezra Sutton, P.A. Plaza 9, 900 Route 9 Woodbridge, New Jersey 07095 esutton@ezrasutton.com (Attorney for Defendants, Fry's Electronics, Inc., Sakar International, Inc., Kohl's Illinois, Inc. and Kohl's Corporation)</p> <p>Steven R. Daniels W. Bryan Farney (Lead) Bryan D. Atkinson Dechert LLP 300 West 6th Street, Suite 2010 Austin, Texas 78701 steven.daniels@dechert.com bryan.farney@dechert.com bryan.atkinson@dechert.com (Attorney for Defendants, Fry's Electronics, Inc., Hewlett-Packard Company, Micro Electronics, Inc. d/b/a Micro Center and Office Depot, Inc.)</p>	<p>Michael C. Smith Siebman Burg Phillips & Smith, LLP 113 East Austin Street P.O. Box 1556 Marshall, Texas 75671-1556 michaelsmith@siebman.com</p> <p>Peter I. Sanborn Holland & Knight LLP 10 St. James Avenue, 11th Floor Boston, Massachusetts 02116 peter.sanborn@hklaw.com</p> <p>R David Donoghue Holland & Knight LLP 131 S. Dearborn Street, 30th Floor Chicago, Illinois 60603 david.donoghue@hklaw.com (Attorneys for Defendants, Target Corporation and Radioshack Corporation)</p>
<p>Debby E. Gunter Trey Yarbrough Yarbrough ♦ Wilcox, PLLC 100 E. Ferguson St., Suite 1015 Tyler, TX 75702 debby@yw-lawfirm.com trey@yw-lawfirm.com (Attorney for Defendants Newegg, Inc., Newegg.com, Inc. and Rosewill Inc.)</p>	<p>Justin N. Stewart John N. Zarian Zarian Midgley & Johnson, PLLC 960 Broadway Ave., Suite 250 Boise, Idaho 83706 stewart@zarianmidgley.com zarian@zarianmidgley.com (Attorney for Defendant Rosewill Inc.)</p>

<p>Christopher Cuneo Zarian Midgley & Johnson, PLLC 960 Broadway Ave., Suite 250 Boise, Idaho 83706 cuneo@zarianmidgley.com (Attorney for Defendants Newegg, Inc. and Newegg.com, Inc.)</p>	<p>Gary Y. Leung McGuire Woods LLP 77 West Wacker Drive, Suite 4100 Chicago, IL 60601 312-849-8100 and 312-641-2742 fax gleung@mcquirewoods.com (Attorney for Defendant, Digital Innovations, LLC)</p>
<p>Brian Craft Eric H. Findlay Findlay Craft, LLP 6760 Old Jackson Highway, Suite 101 Tyler, TX 75703 efindlay@findlaycraft.com bcraft@findlaycraft.com (Attorney for Defendants, Fry's Electronics, Inc., Hewlett-Packard Company, Micro Electronics, Inc. d/b/a Micro Center and Office Depot, Inc.)</p>	<p>Nena Wong Law Offices of Nena Wong 6080 Center Dr. #600 Los Angeles, CA 90045 nenawong@earthlink.net (Attorney for Defendant, Phoebe Micro Inc.)</p>
<p>Victor deGyarfas Foley & Lardner 555 S. Flower Street, Suite 3500 Los Angeles, California 90071 vdegjarfax@foley.com</p> <p>Michael C. Smith Siebman, Burg, Phillips & Smith, LLP 113 E. Austin Street PO Box 1556 Marshall, Texas 75671 michaelsmith@siebman.com (Attorney for Defendant, Wal-Mart Stores, Inc.)</p>	<p>Michael D. Harris M. Kala Sarvaiya Steven C. Sereboff SoCal IP Law Group LLP 310 N. Westlake Blvd., Suite 120 Westlake Village, CA 91362 MHarris@socalip.com KSarvaiya@socalip.com SSereboff@socalip.com</p> <p>Michael E. Jones Allen F. Gardner Potter Minton, PC 110 north College, Suite 500 Tyler, Texas 75702 mikejones@potterminton.com allengardner@potterminton.com (Attorney for Defendants, Baltic Latvian Universal Electronics, LLC d/b/a Blue Microphones, LLC d/b/a Blue Microphone; and Blue Microphones, LLC and J&R Electronics, Inc. d/b/a J&R (Potter Minton only)</p>
<p>Collin M. Maloney</p>	<p>Herbert J. Hammond</p>

<p>Ireland Carroll & Kelley 6101 S. Broadway, Suite 500 Tyler, Texas 75703 fedserv@icklaw.com</p> <p>Thomas G. Carulli Jennifer Huang Kaplan, Massamillo & Andrews, LLC 70 East 55th Street, 25th Floor New York, NY 10022 tcarulli@kmalawfirm.com jhuang@kmalawfirm.com (Attorneys for Defendant, Lifeworks Technology Group, LLC)</p>	<p>Vishal Patel Thompson & Knight LLP One Arts Plaza 1722 Routh Street, Suite 1500 Dallas, Texas 75201</p> <p>Patricia L. Davidson Mirick, O'connell, DeMallie & Lougee, LLP 100 Front Street Worcester, MA 01608-1477 pdavidson@mirickoconnell.com (Attorneys for Defendant, Gear Head, LLC)</p>
<p>(Attorney for Defendant, jWIN Electronics, Corp.)</p>	<p>Steven R. Daniels W. Bryan Farney (Lead) Bryan D. Atkinson Dechert LLP 300 West 6th Street, Suite 2010 Austin, Texas 78701 steven.daniels@dechert.com bryan.farney@dechert.com bryan.atkinson@dechert.com (Attorney for Defendant, Creative Labs, Inc., Best Buy Co., Inc., Best Buy Stores, L.P. and BestBuy.com, LLC)</p>
<p>Jen-Feng Lee (Pro Hac Vice) LT Pacific Law Group LLP 17800 Castleton Street #383 City of Industry, CA 91748 jflee@ltpacificlaw.com (Attorney for Defendant, Auditek Corporation)</p>	<p>Peter M. Lukevich Apex Juris, PLLC 12733 Lake City Way NE Seattle, WA 98125 peter@apexjuris.com (Attorney for Defendants, Macally Peripherals, Inc. d/b/a Macally U.S.A., MACE Group, Inc.)</p>
<p>Kent M. Adams John Lynd Lewis Brisbois Bisgaard & Smith, L.L.P. 3355 West Alabama, Suite 400 Houston, Texas 77098 kadams@lbbslaw.com jlynd@lbbslaw.com</p> <p>J. Thad Heartfield M. Dru Montgomery</p>	

<p>Heartfield Law Firm 2195 Dowlen Road Beaumont, TX 77706 thad@jth-law.com dru@jth-law.com</p> <p>(Attorneys for Defendant, Conn's, Inc. d/b/a Conn's)</p>	
--	--

/s/ Robert D. Ayers, Jr.

Robert D. Ayers, Jr.